

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BILLYJOE K. SMITH,

Case No. C14-5441-RSL-JPD

Plaintiff,

REPORT AND RECOMMENDATION

V.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 22.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge (“ALJ”). On remand, the ALJ shall hold a *de novo* hearing and issue a new decision. The ALJ shall further consider the claimant’s mental residual functional capacity and clearly define the term “unskilled work,” using specific vocational terms with references from the record; further evaluate all of the opinion evidence including the additional evidence with a

1 medical source statement from Dr. Trowbridge (Exhibit 18F); conduct a DA/A evaluation; and
2 complete the rest of the sequential evaluation process as necessary. The ALJ shall take any other
3 actions necessary to develop the record. Plaintiff may submit additional evidence and arguments
4 to the ALJ on remand.

5 Upon proper application, the Court will consider whether reasonable attorney's fees and
6 costs should be awarded pursuant to 28 U.S.C. § 2412(d).

7 Because the parties have stipulated that the case be remanded as set forth above, the
8 Court recommends that United States District Judge Robert S. Lasnik immediately approve this
9 Report and Recommendation. The Clerk should note the matter for **November 4, 2014** as ready
10 for Judge Lasnik's consideration. A proposed order accompanies this Report and
11 Recommendation.

12 DATED this 4th day of November, 2014.

13 
14 JAMES P. DONOHUE
United States Magistrate Judge